



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 10-254
Released: February 16, 2010

PLEADING CYCLE ESTABLISHED FOR ACS OF ANCHORAGE, INC., ACS OF ALASKA, INC., AND ACS OF FAIRBANKS, INC.'S PETITION FOR PHASE II PRICING FLEXIBILITY PURSUANT TO SECTIONS 69.709 AND 69.711 OF THE COMMISSION'S RULES

WCB/Pricing File No. 10-02

COMMENTS: March 3, 2010

REPLY COMMENTS: March 15, 2010

On January 29, 2010, ACS of Anchorage, Inc., ACS of Alaska, Inc., and ACS of Fairbanks, Inc. (collectively, the ACS LECs) filed a petition for Phase II pricing flexibility for the Anchorage Metropolitan Statistical Area (MSA), the Juneau Non-MSA area, and the Fairbanks MSA. Specifically, the ACS LECs seek: (1) Phase II pricing flexibility for dedicated transport and special access services, other than channel terminations between their end offices and end-user customer premises (Qualifying DT/SA Services),¹ and (2) Phase II relief for channel terminations between their end offices and end-user customer premises (end-user channel terminations), pursuant to sections 1.774 and 69.701 *et seq.* of the Commission's rules.²

The petition is available for review through the Commission's Electronic Tariff Filing System (ETFS). Comments or oppositions may be filed no later than **March 3, 2010**. Interested parties are strongly encouraged to file comments electronically through ETFS, although they are not required to do so. 47 C.F.R. § 1.774(e)(2)(i). The ETFS provides instructions for filing both public and confidential versions of comments, and, if interested parties require additional assistance, they may call the ETFS Information Line at (202) 418-7700. Parties electing to file comments through a method other than ETFS must file such comments in accordance with section 1.774(e)(2)(ii) of the Commission's rules. 47 C.F.R. § 1.774(e)(2)(ii). In addition, the ACS LECs may file a reply no later than **March 15, 2010**, 10 days after the deadline for comments or oppositions. 47 C.F.R. § 1.774(d). Any such reply must be filed through ETFS. 47 C.F.R. § 1.774(e)(3). For additional information about the filing and service of comments and replies, see sections 1.774(c)-(e) of the Commission's rules. 47 C.F.R. §§ 1.774(c)-(e). Parties who choose to file by paper must file an original and four copies of each filing.

All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. All hand

¹ See Petition of ACS Anchorage, Inc., ACS of Alaska, Inc., and ACS of Fairbanks, Inc. for Phase II Pricing Flexibility Pursuant to Sections 69.709 and 69.711 of the Commission's Rules (filed Jan. 29, 2010) (Petition), Attachment A (listing those services that the ACS LECs believe are Qualifying DT/SA Services).

² See *Id.*

deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours at both locations are 8:00 a.m. to 7:00 p.m. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

As specified in section 1.774(e)(2)(ii), if parties file an opposition or comments other than through ETFS, they should also file one copy with the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, e-mail fcc@bcpiweb.com, or via its website at <http://www.bcpiweb.com>. Documents filed in this proceeding will be available for public inspection during regular business hours in the Commission's Reference Information Center, 445 12th Street, S.W., Washington, D.C. 20554, and will be placed on the Commission's Internet site.

Accessible formats (computer diskettes, large print, audio recording and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau, at (202) 418-0531, TTY (202) 418-7365, or at fcc504@fcc.gov.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules. 47 C.F.R. § 1.1206(b).

For further information, contact Amy Goodman, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520.

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